appeared in the 'Indian Express' of 27th May, 1986 under the caption "CSIR Scientific Pool Scheme flawed";

(b) if so, what are the details thereof;

(c) whether it is a fact that under the Scientific Pool Scheme, the Council of Scientific and Industrial Research has failed to fix a pool job for one Yashpal Goyal, a post doctoral fellow, who had applied therefor on the 5th March, 1985; and

(d) if so, what action has been taken by Government in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY AND IN THE DEPARTMENTS OF OCEAN DEVELOPMENT, ATOMIC ENERGY, ELECTRONICS AND SPACE (SHRI SHIVRAJ PATIL): (a) Yes, Sir.

(b) to (d) The report is about the difficulty faced by Dr. Yashpal Goyal in getting placement as Pool Officer at certain institutions of his choice in Rajasthan and elsewhere, namely the Rajasthan, Jodhpur and Udaipur Universities, and the National Botanical Research Institute. None of these institutions responded favourably to the proposal of his placement. Later, the Central Arid Zone Research Institute of the Indian Council of Agricultural Research was approached and they have agreed to have him as a Pool Officer. Dr. Goyal has now been placed at this institution.

Law Commission's recommendations to repeal Section 309 of IPC

*420. SHRI KAILASH PATI MISHRA:

SHRI SHANKER SINH VAGHELA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the observation made by Delhi High Court on the 29th March, 1985 regarding repeal of Section 309 IPC;

(b) whether the Law Commission had also recommended repeal of the same if so, when; and

(c) whether Government propose to repeal the said provision of the IPC, and, if so, how soon?

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): (a) to (c) While refusing to permit the police to continue investigation of an offence under Section 309 IPC, the Delhi High Court, on 29-3-1985, observed as under:—

> "The continuance of Section 309 IPC is an anachronism unforthy of a humane society like ours. Medical clinics for such special misfits certainly but police and prisons never. The very idea is revolting. This concept seeks to meet the challenge of social strains of modern urban and competive economy by ruthless suppression of mere symptoms—this attempt can only result in failure. Need is for humane civilised and socially oriented and conscious penalogy. Many penal offences are the off shoots of an unjust society and socially decadent outlook of love between young people being frustrated by false consideration of caste, community or social pretentions. No wonder so long as society refuses to face this reality its coercive machinery will invoke the provision like 309 IPC which has no right to remain on the statute".

2. The Law Commission also has recommended repeal of Section 309 of Indian Penal Code. This recommendation will be kept in mind when comprehensive amendment of that Code is taken up.

Non-availability of non-Judicial Stamp Papers of the value of Rs. 2 and Rs. 5 in Delhi

†2126. SHRI J. P. GOYAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the general complaint of non-

†Previously Unstarred Question No 1225 transferred from the 4th August 1986.

availability of non-judicial stamp papers of the value of Rs. 2 and Rs. 5 in Delhi;

(b) if so, what are the reasons therefor;

(c) whether it is also a fact that the Stamp Vendors present a wrong picture about the availability of these stamp papers and compel the customers to purchase stamps papers of the value of Rs. 10; and

(d) if so, what steps are proposed to be taken to ensure regular availability of non-judicial stamp papers of the value of Rs. 2 and Rs. 5?

THE MINISTER OF STATE IN THE DEPARTMENT OF STATES (SHRI GHULAM NABI AZAD): (a) Yes, Sir.

(b) The shortage occurs occasionally due to inadequate supply of stamp papers of various denominations from the Controller of Stamps, Nasik.

(c) No such incident has been brought to the notice of the Delhi Administration.

(d) The stamp papers of Rs. 2/- denomination are available now. The supply of stamp papers of Rs. 5/- denomination will resume shortly. Concerted efforts are being made to procure the stamp papers from Nasik.

Pay Commission Report relating to casual labourers in Government Offices

†2127. DR. R. K. PODDAR: Will the PRIME MINISTER be pleased to state:

(a) whether the Fourth Central Pay Commission has not given any recommendation pertaining to the casual labourers being employed in Government offices and Department-run undertakings;

(b) if so, whether Government will keep this fact in mind while analysing the recommendations of the commission; and

(c) if not, what are the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI BIREN SINGH ENGTI): (a) to (c) As casual employees were excluded from the purview of the Fourth Central Pay Commission the question of reviewing their conditions of service while analysing the recommendations of the Pay Commission does not arise.

Encashment of Earned Leave

§2123. SHRI F. M. KHAN: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Fourth Pay Commission has allowed Central Government employees who are due to retire on superannuation to encash eight months earned leave;

(b) if so, what are the details in this regard;

(c) whether Government are aware that in view of the maximum limit for the accumulation of Eearned Leave upto 180 days being in force, no Government employee has at present more than 180 days Earned Leave at his credit; and

(d) if so, whether Government propose to permit such employees who are due to retire shortly and have the maximum 180 days Earned Leave at their credit, the benefit of conversion of portion of Half Pay Leave into Earned Leave as is done in the case of employees who seek voluntary retirement?

†Previously Unstarred Question 1306 transferred from the 5th August, 1986.

§Previously Unstarred Question No. 1372 transferred from the 5th August, 1986.